

KCC 4972 (K-C 17,515A)  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Mark S. Franke et al.      Art Unit 3761  
Serial No. 10/735,978  
Filed December 15, 2003  
Confirmation No. 4244

October 28, 2004

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, applicants submit the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein.

Applicant(s) submit(s) herewith copies of the foreign patent documents.

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. §1.97(b) in that applicants believe that it is being filed prior to the mailing date of the first Office action on the merits. Accordingly, neither a statement nor fee under 37 C.F.R. §1.97(c) or (d) is required. However, if an Office action was issued prior to the date of mailing of this Information Disclosure Statement, the Commissioner is hereby



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authorized to charge any required fees regarding this Information  
Disclosure Statement to Deposit Account No. 19-1345.

Respectfully submitted,

Richard L. Bridge, Reg. No. 40,529  
SENNIGER POWERS  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

CERTIFICATE OF MAILING

I certify that this Third Supplemental Information  
Disclosure Statement in the application of Mark S. Franke et al,  
Serial No. 10/735,978, filed December 15, 2003 is being deposited  
with the United States Postal Service as first class mail in an  
envelope addressed to Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on this 28th day of October 2004.

  
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Michelle Grindstaff

RLB/tmg

PTO/SB/08A				<b>Complete if Known</b>	
<b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				Application Number	10/735,978
				Filing Date	December 15, 2003
				Confirmation Number	4244
				First Named Inventor	Mark S. Franke et al.
				Group Art Unit	3761
				Examiner Name	To be Determined
Sheet	1	of	5	Attorney Docket No.	KCC 4972 (K-C 17,515A)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	124	3,678,516		Backer	07-25-1972
	125	4,644,945		Thorner	02-24-1987
	126	4,965,122		Morman	10-23-1990
	127	4,981,747		Morman	01-01-1991
	128	5,067,178		Katchka	11-26-1991
	129	5,103,505		Llorens	04-14-1992
	130	5,217,782		Moretz et al.	06-08-1993
	131	D341243		Costella et al.	11-16-1993
	132	5,297,296		Moretz et al.	03-29-1994
	133	5,303,424		Cromartie	04-19-1994
	134	5,306,536		Moretz et al.	04-26-1994
	135	5,336,545		Morman	08-09-1994
	136	5,379,462		Morgan et al.	01-10-1995
	137	D382386		Malone	08-19-1997
	138	5,718,003		Gwinn	02-17-1998
	139	5,790,983		Rosch et al.	08-11-1998
Examiner Signature				Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Sheet	2	of	5	Attorney Docket No.	KCC 4972 (K-C 17,515A)

	140	5,858,012		Yamaki et al.	01-12-1999
	141	5,891,122		Coates	04-06-1999
	142	D408964		Hernandez	05-04-1999
	143	5,953,754		Rosch et al.	09-21-1999
	144	6,018,822		Hernandez	02-01-2000
	145	6,098,557		Couillard et al.	08-08-2000
	146	6,105,171		Niedermeyer	08-22-2000
	147	6,115,847		Rosch et al.	09-12-2000
	148	6,192,521		Alberts e tal.	02-27-2001
	149	6,197,012		Mishima et al.	03-06-2001
	150	6,293,934		Kumasaka	09-25-2001
	151	6,312,420		Sasaki et al.	11-06-2001
	152	D456995		Baker	05-14-2002
	153	6,419,665		Cohen	07-16-2002
	154	2002/0123732	A1	Koyama et al.	09-05-2002
	155	6,475,201		Saito et al.	11-05-2002
	156	6,487,727		Harsant	12-03-2002
	157	6,516,473		Saito	02-11-2003
	158	6,539,554		Portela	04-01-2003
	159	6,550,288		Browder, Jr. et al.	04-22-2003
	160	6,558,364		Santa Cruz et al.	05-06-2003

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	161	2003/0088955	A1	Bridges	05-15-2003
	162	2003/0115660	A1	Hopkins	06-26-2003
	163	6,635,042		Kumasaka	10-21-2003
	164	6,648,868		Sayama et al.	11-18-2003
	165	2003/0217407	A1	Andrews-Jones	11-27-2003
	166	2003/0229329	A1	Mercier et al.	12-11-2003
	167	6,666,851		Otsubo et al.	12-23-2003
	168	2004/0098791	A1	Faulks	05-27-2004
	169	2004/0102746	A1	Mortell et al.	05-27-2004
	170	2004/0107481	A1	Mortell et al.	06-10-2004
	171	2004/0116881	A1	Nordness et al.	06-17-2004
	172	6,761,712		Otsubo et al.	07-13-2004

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T <sup>6</sup>
		Office	Number <sup>4</sup>	Kind Code <sup>2</sup> (if known)			
	173	EP	0 904 758	A2	Toshifumi Otsubo	03-31-1999	
	174	EP	0 911 006	A1	Victoriano Valladares Pereda et al.	04-28-1999	
	175	EP	1 048 231	A1	Masaki Murakami	11-02-2000	
	176	EP	1 108 371	A1	Masaki Murakami	06-20-2001	

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	177	EP	1 108 372	A1	Masaki Murakami et al.	06-20-2001	
	178	EP	1 118 277	A1	Vladimir Vitches	07-25-2001	
	179	EP	1 159 883	A1	Ikuo Toratani	12-05-2001	
	180	EP	1 179 302	A2	Stefano Coccia	02-13-2002	
	181	EP	1 184 012	A1	Toru Hayase et al.	03-06-2002	
	182	EP	1 219 273	A2	Takao Koyama et al.	07-03-2002	
	183	GB	0774712	A	Alfred Benjamin	05-15-1957	
	184	GB	0774713	A	Dynamit AG	05-15-1957	
	185	JP	2001-172802	A	Akiko Saito	06-26-2001	
	186	JP	2001-204762	A	Kenji Takahata et al.	07-31-2001	
	187	JP	2001-204764	A	Takaaki Shimada et al.	07-31-2001	
	188	JP	2001-204765	A	Takaaki Shimada et al.	07-31-2001	
	189	JP	2001-207301	A	Chia-Ming-Kang	08-03-2001	
	190	JP	2001-245929	A	Satoru Nozaki et al.	09-11-2001	
	191	JP	2001-248002	A	Sada Okada	09-14-2001	
	192	JP	2001-254202	A	Michiyo Matsushita et al.	09-21-2001	
	193	JP	2001-299813	A	Tomoko Sugito	10-30-2001	
	194	JP	2001-309946	A	Reiko Kamata	11-06-2001	
	195	JP	2001-333932	A	Takaaki Shimada et al.	12-04-2001	
	196	JP	2002-035022	A	Hiroaki Miyoshi et al.	02-05-2002	
	197	WO	96/03949	A1	Paulette Mary Rosch et al.	02-15-1996	

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	198	WO	01/58401	A1	Satoshi Maeda et al.	08-16-2001	
	199	WO	01/61093	A1	Michel Andre Bonnin	08-23-2001	
	200	WO	02/067833	A1	Frederica Coates	09-06-2002	
	201	WO	04/073430	A2	Vera Owen et al.	09-02-2004	

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